



# Indiana Department of Education

151 West Ohio Street  
Indianapolis, Indiana 46204

## Solicitation for Applications for Virtual Pilot School Program Indiana Code 20-24-7-13 2010-2011 School Year

Purpose of Solicitation – Pursuant to Indiana Code 20-24-7-13, the Indiana Department of Education (IDOE) shall establish a pilot program to provide funding for a statewide total of up to five hundred (500) students who attend virtual charter schools in the 2010-2011 school year. The Department shall choose an entity or entities to operate the virtual charter school. The Department may limit the number of students that an entity may enroll. The pilot program must focus on children who have medical disabilities or circumstances that prevent them from attending school or for whom a virtual charter school is a better alternative than a traditional school. At least seventy-five percent (75%) of the students enrolled in virtual charter schools under this section must have been included in the ADM count for the 2009-2010 school year.

Virtual Charter School – A "virtual charter school" means any charter school, including a conversion charter school, that provides for the delivery of more than fifty percent (50%) of instruction to students through

- (1) virtual distance learning;
- (2) online technologies; or
- (3) computer based instruction.

Eligible Applicants – An eligible applicant must be a charter school organizer, although the charter held by the organizer may have been issued for the purpose of providing instruction in a traditional or in a combination traditional-virtual setting rather than a virtual educational setting.

Virtual Pilot School Requirements – The successful applicant must enter into a Memorandum of Agreement (MOA) with the Indiana Department of Education under which the applicant agrees to the following:

- (1) Provide an instructional program during the 2010-2011 school year to students in any combination of Grades 1 through 8.
- (2) Provide more than fifty percent (50%) of instruction to students through
  - (a) virtual distance learning;
  - (b) online technologies; or
  - (c) computer based instruction.
- (3) Focus the program on children who have medical disabilities or circumstances that prevent them from attending school or for whom a virtual charter school is a better alternative than a traditional school.
- (4) Administer required state assessments at locations convenient to students.
- (5) Follow applicable provisions of state law, State Board of Education rules, and Department of Education rules.
- (6) Abide by other provisions included in the attached sample MOA or that may be negotiated by the parties.

Application – The application must include, at a minimum, description and documentation of the following:

- (1) Grade levels and number of students proposed to be served (total and by grade level).
- (2) Evidence of financial stability and organizational capacity to fulfill the MOA.
- (3) Documentation of experience in providing similar services.
- (4) References.
- (5) Policies to furnish and maintain hardware and software.
- (6) Procedures to train and support students and parents in use of the hardware and software.
- (7) Training for parents to support students.
- (8) Student recruitment, application, and enrollment plan.
- (9) Administrator, teacher, and other professional staff qualifications and policies to select, train, and assign professional staff.
- (10) Provisions to make teachers accessible to students.
- (11) Policies and programs to document student engagement/attendance.
- (12) Curriculum, including delivery method and alignment with Indiana's Academic Standards.
- (13) Academic expectations and assessments.
- (14) Student discipline.
- (15) Technology plan and acceptable use policy.
- (16) Planned networking, group and extracurricular activities.
- (17) Information about governance, including the name and contact information for the organizer, educational management organization (if applicable) and governing board.
- (18) Copy of the charter and a letter from the charter sponsor demonstrating that the sponsor does not object to the organizer's operation of a virtual pilot school and that the organizer's operation of a virtual pilot does not jeopardize the existing charter. .

Deadline – Applications must be received by 4:30 pm Eastern Standard Time on Friday, March 5, 2010.

How to Submit – Applications must be submitted electronically to [vps@doe.in.gov](mailto:vps@doe.in.gov). No form is required. Applicants may submit scanned images of supporting documents.

Questions and Additional Information – Questions may be submitted to [vps@doe.in.gov](mailto:vps@doe.in.gov) by February 22, 2010. Persons who are interested in receiving additional information may register by sending a request to [vps@doe.in.gov](mailto:vps@doe.in.gov). Answers to all questions will be sent to all interested parties.

The Indiana Department of Education reserves the right to request clarifications on applications submitted to the state. IDOE also reserves the right to conduct discussions, either oral or written, with applicants. These discussions could include request for additional information, request for revision, etc. Additionally, in conducting discussions, the state may use information derived from applications submitted by competing applicants only if the identity of the applicant providing the information is not disclosed to others. The state will provide equivalent information to all applicants who are chosen for discussions. Discussions, along with negotiations with responsible applicants, may be conducted for any appropriate purpose.

Award – The Department of Education anticipates designating an entity or entities to a virtual charter school during the 2010-2011 school year no later than March 12, 2010.

Attachments: Statutory Excerpts  
Sample MOA

## Statutes that Apply to Virtual Charter Schools (partial list)

### IC 20-24-7-13

#### Virtual charter schools

Sec. 13. (a) As used in this SECTION, "virtual charter school" means any charter school, including a conversion charter school, that provides for the delivery of more than fifty percent (50%) of instruction to students through:

- (1) virtual distance learning;
- (2) online technologies; or
- (3) computer based instruction.

(b) The department shall establish a pilot program to provide funding for a statewide total of up to two hundred (200) students who attend virtual charter schools in the school year ending in 2010 and five hundred (500) students who attend virtual charter schools in the school year ending in 2011. The department shall choose an entity or entities to operate the virtual charter school. The pilot program must focus on children who have medical disabilities or circumstances that prevent them from attending school or for whom a virtual charter school is a better alternative than a traditional school. At least seventy-five percent (75%) of the students enrolled in virtual charter schools under this section must have been included in the ADM count for the previous school year.

(c) A virtual charter school is entitled to receive funding from the state in an amount equal to the product of:

- (1) the number of students included in the virtual charter school's ADM who are participating in the pilot program; multiplied by
- (2) eighty percent (80%) of the statewide average basic tuition support.

(d) The department shall adopt rules under IC 4-22-2 to govern the operation of virtual charter schools.

(e) Beginning in 2009, the department shall before December 1 of each year submit an annual report to the state budget committee concerning the program under this section. *As added by P.L.182-2009(ss), SEC.315.*

### IC 20-24-8-5

#### Applicable statutes, rules, and guidelines

Sec. 5. The following statutes and rules and guidelines adopted under the following statutes apply to a charter school:

- (1) IC 5-11-1-9 (required audits by the state board of accounts).
- (2) IC 20-39-1-1 (unified accounting system).
- (3) IC 20-35 (special education).
- (4) IC 20-26-5-10 (criminal history).
- (5) IC 20-26-5-6 (subject to laws requiring regulation by state agencies).
- (6) IC 20-28-7-14 (void teacher contract when two (2) contracts are signed).
- (7) IC 20-28-10-12 (nondiscrimination for teacher marital status).
- (8) IC 20-28-10-14 (teacher freedom of association).
- (9) IC 20-28-10-17 (school counselor immunity).
- (10) For conversion charter schools only, IC 20-28-6, IC 20-28-7, IC 20-28-8, IC 20-28-9, and IC 20-28-10.
- (11) IC 20-33-2 (compulsory school attendance).
- (12) IC 20-33-3 (limitations on employment of children).
- (13) IC 20-33-8-19, IC 20-33-8-21, and IC 20-33-8-22 (student due process and judicial review).
- (14) IC 20-33-8-16 (firearms and deadly weapons).
- (15) IC 20-34-3 (health and safety measures).
- (16) IC 20-33-9 (reporting of student violations of law).
- (17) IC 20-30-3-2 and IC 20-30-3-4 (patriotic commemorative observances).

(18) IC 20-31-3, IC 20-32-4, IC 20-32-5, IC 20-32-6, IC 20-32-8, or any other statute, rule, or guideline related to standardized testing (assessment programs, including remediation under the assessment programs).

(19) IC 20-33-7 (parental access to education records).

(20) IC 20-31 (accountability for school performance and improvement).

(21) IC 20-30-5-19 (personal financial responsibility instruction).

*As added by P.L.1-2005, SEC.8. Amended by P.L.2-2006, SEC.111; P.L.121-2009, SEC.5; P.L.154-2009, SEC.1.*

## MEMORANDUM OF AGREEMENT

This **Memorandum of Agreement** ("MOA") entered into by and between the Indiana Department of Education ("IDOE"), an agency of the State of Indiana pursuant to IC 20-19-3 *et seq.* and the *[name of charter school]*, Inc. an Indiana Charter School established pursuant to IC 20-24-3 *et seq.*, describes the parties' roles and expectations regarding the authority for and the responsibilities and operation of the Virtual Charter School Pilot as established by IC 20-24-7-13.

Pursuant to 20-24-7-13(b), the IDOE is responsible for choosing an entity or entities to operate a VCSP for the 2010-2011 school year. IDOE has selected *[name of charter school]* to operate a VCSP for the 2010-2011 school year.

The parties hereby acknowledge and agree to the following:

### A. General

1. The Virtual Charter School Pilot ("VCSP") is separate and distinct from the *[charter school]* operation of its existing charter school(s). As such, the *[charter school]* agrees that it will maintain separate records for the financial operations, student enrollment, student academic performance reporting, and allocation of faculty resources for the VCSP. The VCSP will be operated under the name *[name selected by the charter school]*.
2. The *[charter school]* shall comply with all applicable state and federal laws and is subject to the general supervisory authority of the IDOE for the operation of the VCSP pursuant to the terms of this MOA.
3. IDOE assures that the terms of the MOA and the responsibilities of the respective parties herein are based on a good faith belief that such are compliant with applicable statute, law, rule, or regulation.
4. There is no action, complaint, petition, investigation, suit or other proceeding or order pending or, to the knowledge of the IDOE, threatened against or affecting the IDOE or the *[charter school]* seeking to restrain or enjoin, or which reasonably would be expected to materially adversely affect, the IDOE's or the *[charter school]*'s performance of its obligations under this MOA or the consummation of the transactions contemplated herein.
5. IDOE and the *[charter school]* are responsible for any negligence or other tort liabilities for which the party is legally liable. In the event of litigation in which the IDOE and the *[charter school]* are named defendants, IDOE agrees to take the lead in such litigation to the extent the interests of IDOE and the *[charter school]* are not materially adverse and with the express consent of the *[charter school]* that IDOE assume this role.

### B. Student Enrollment

1. The VCSP will be limited to students in grades \_\_\_\_\_ for the 2010-2011 school year.
2. The maximum number of students to be enrolled in the VCSP for the 2010-2011 school year is \_\_\_\_\_.
3. For the 2010-2011 school year, each grade will accommodate up to \_\_\_\_ students. If there are more than \_\_\_\_ applicants for a grade level, the VCSP will conduct a lottery in accordance with Indiana law.

4. The *[charter school]* will ensure open enrollment for the VCSP as described in IC 20-24-5-4 and will utilize an application form that asks the applicant to indicate one of the following reasons for seeking enrollment:
  - a. the student's medical disability or other circumstances prevent the student from attending school; or
  - b. the virtual charter school is a better alternative than a traditional school.
5. At least 75% of the students enrolled in the VCSP program must have been counted in the September ADM count in for the previous school year, as submitted on the DOE-ME. The VCSP will determine the student's ADM status by utilizing the *IDOE STN Lookup*. Any student who appears as "in Membership" during "Period 1" of the 2009-2010 school year is eligible to be counted toward the 75% requirement for the 2010-2011 school year. The VCSP will print or screen capture the "Membership" screen as documentation of the student's ADM status and will submit a file upload for IDOE verification no later than \_\_\_\_\_ on \_\_\_\_\_, 2010. IDOE will verify each student's ADM status and provide confirmation to the VCSP no later than \_\_\_\_\_ on \_\_\_\_\_, 2010. Any conflicting data will be reconciled by IDOE and VCSP no later than \_\_\_\_\_ on \_\_\_\_\_, 2010.
6. If the VCSP enrolls a student who was included on the previous year's ADM count and that student subsequently withdraws, resulting in non compliance with the 75/25 requirement, the VCSP is not required to terminate the enrollment of non-ADM students. However, the VCSP may not enroll additional non-ADM students until it enrolls additional ADM students in accordance with the 75/25 requirement.

C. Operation, Accountability, and Assessment

1. The *[charter school]* will ensure that the curriculum provided in the VCSP is consistent with Indiana's academic standards.
2. The *[charter school]* will provide a sufficient number of teachers to effectively serve all students enrolled in the VCSP and will supervise all teachers working with VCSP students to ensure each teacher's effectiveness in VCSP educational activities.
3. The *[charter school]* will ensure that the VCSP teachers are readily available for student access via phone, email, or other electronic means and provide students with a real time response in accordance with the hours of teacher availability established by the *[charter school]*.
4. The *[charter school]* will ensure that technological equipment, operating systems, software, internet access, and real time technical support are available to all students during regular school hours on the virtual instructional day.
5. The *[charter school]* will make reasonable efforts to involve parents of VCSP students in training and other activities designed to increase the parent's understanding of and participation in the VCSP program, including but not limited to the following:
  - a. training,
  - b. online networking community,
  - c. community events, and
  - d. individual teacher contact.
6. For extracurricular and co-curricular activities, the *[charter school]* will do the following:
  - a. provide the families of VCSP students with opportunities to interact with each other,
  - b. facilitate enrichment activities, and

- c. assist students and families in locating and/or accessing other resources in pursuit of these activities.
7. The *[charter school]* will accurately document and report attendance of the VCSP students in a manner consistent with standard attendance reporting requirements and *[charter school]* policy. The attendance of the VCSP students will be reported separately from the attendance of other *[charter school]* students.
8. The *[charter school]* will utilize a variety of methods to monitor each VCSP student's work product and assess progress. Such methods may include but are not limited to the following:
  - a. collection and review of student work samples,
  - b. administration of beginning, interim, and end of year assessments such as the Scantron Performance Series or the Dynamic Indicators of Basic Early Literacy Skills (DIBELS) assessment, and
  - c. other growth model assessments.
9. The *[charter school]* will appropriately administer ISTEP+ to the VCSP students, utilizing multiple testing sites around the state to ensure that no VCSP student has to commute more than 50 miles to a testing site.
10. The *[charter school]* will ensure that individualized education programs (IEPs) and 504 Plans for students with disabilities are appropriately implemented in the VCSP setting.

D. Reporting

1. Pursuant to IC 20-43-4-3 and 511 IAC 1-3-2(b)(2) and to allow the VCSP sufficient time to process enrollments, the IDOE will allow the VCSP to report its formal ADM count on \_\_\_\_\_, 2010.
2. No later than \_\_\_\_\_, 2010, the IDOE will notify the *[charter school]* of the information and data needed for the IDOE report to the state budget committee. The *[charter school]* will provide the IDOE with IDOE identified preliminary data no later than \_\_\_\_\_, 2010, and any additional or final data no later than \_\_\_\_\_, 2010, sufficient to allow the IDOE to prepare a report to the state budget committee as required by IC 20-24-7-13(e).
3. The *[charter school]* will submit annual report information to the IDOE specific to the VCSP as described in IC 20-24-9-2, including the following:
  - a. Results of all standardized testing.
  - b. A description of the educational methods and teaching methods employed.
  - c. Daily attendance records.
  - d. Student enrollment data, including:
    - i. the number of students enrolled;
    - ii. the number of students expelled; and
    - iii. the number of students who discontinue attendance and the reason(s) for discontinuation.
3. The *[charter school]* will survey parents and students to identify the types of extracurricular and co-curricular activities and experiences in which VCSP students are involved and will provide the survey results to the IDOE.
4. The *[charter school]* will assist the IDOE in contacting school administrators, teachers, students, and families if the IDOE determines that interviews would be an effective method of evaluating the VCSP.

E. Term of Agreement, Extension, and Amendment

1. The term of this MOA shall be effective from \_\_\_\_\_, 2010 to June 30, 2011.
2. The parties may amend the terms of the MOA by written agreement. Any amendments to the MOA shall be attached to and incorporated as if fully stated in the original MOA.

**For the Indiana Department of Education:**

By \_\_\_\_\_  
Tony Bennett  
Superintendent of Public Instruction

\_\_\_\_\_  
Date

**[name of charter school]:**

By \_\_\_\_\_  
Chief Executive Officer

\_\_\_\_\_  
Date